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Date: February 23, 2005

TO: Examiner German Colon

Fax Number: (703) 872-9306

Company: USPTO, Group Art Unit 2879

Telephone: (571) 273-2451

Your Reference: 10/635,647

FROM: Charles F. Wieland III

Telephone: 703.838.6604

Our Reference: 030681-568

Sent By: Cynthia Johnson

Number of Pages 3
Including Cover:

Re: U. S. Patent Application No. 10/635,647
"FIELD EMISSION DEVICE"

Patent
Attorney Docket No. 030681-568

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Jun-hee Choi et al.
Application No.: 10/835,647
Filing Date: August 7, 2003
Title: FIELD EMISSION DEVICE

Group Art Unit: 2879
Examiner: GERMAN COLON
Confirmation No.: 8798

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

The requisite fee is ☐ \$65.00 (2814) ☒ \$130.00 (1814) .

☒ Charge \$130.00 to Deposit Account No. 02-4800 for the fee due.

☒ A check in the amount of _____ is enclosed for the fee due.

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This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By



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SUBMISSION OF TERMINAL DISCLAIMER

(8/04)

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number (Optional) 030681-568
<p>In re Patent Application of: Jun-hee Choi et al. Application No.: 10/635,647 Filed: August 7, 2003 For: FIELD EMISSION DEVICE</p> <p style="text-align: center; margin-top: 20px;">The owner*, <u>Samsung SDI Co., Ltd.; 575 Shin-dong, Paldal-gu, Suwon-city, Kyungki-do, Republic of Korea</u></p> <p>of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. <u>6,809,464</u>. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record.</p> <div style="text-align: center; margin-top: 20px;">  Signature </div> <div style="text-align: right; margin-top: 10px;"> <u>February 23, 2005</u> Date </div> <div style="text-align: center; margin-top: 10px;"> <u>Charles F. Wieland III (Reg'd 334962)</u> Typed or printed name </div> <div style="text-align: center; margin-top: 10px;"> <u>(703) 836-6620</u> Telephone Number </div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p><small>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/95 may be used for making this statement. See MPEP § 324.</small></p>	